

**BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA**



FILED

03/30/18
04:59 PM

P1803014

Petition to Adopt, Amend, or Repeal a Regulation
Pursuant to Pub. Util. Code §1708.5.

Petition 18-03-____

(Filed March 30, 2018)

**DECLARATION OF GABRIELA SANDOVAL AND MINDY SPATT
IN SUPPORT OF JOINT PETITION TO ADOPT, AMEND, OR REPEAL
THE PRIVACY STANDARDS AND PRACTICES OF
TELECOMMUNICATIONS PROVIDERS.**

Dated: March 30, 2018

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Petition to Adopt, Amend, or Repeal a Regulation
Pursuant to Pub. Util. Code §1708.5.

Petition 18-03-____

(Filed March 30, 2018)

**DECLARATION OF GABRIELA SANDOVAL AND MINDY SPATT
IN SUPPORT OF JOINT PETITION TO ADOPT, AMEND, OR REPEAL
THE PRIVACY STANDARDS AND PRACTICES OF
TELECOMMUNICATIONS PROVIDERS.**

1. Gabriela Sandoval is the Research Director for The Utility Reform Network (TURN), and she began working for TURN in 2016. Mindy Spatt is the Communications Director for TURN, and she began working for TURN in 1998. TURN is a consumer protection nonprofit organization representing the rights of regulated energy and telecommunication companies' customers in California for over 40 years.
2. In 2016, Mindy Spatt and Gabriela Sandoval developed a survey for California smart phone customers. The survey covered a number of issues, including how the customers received information about their privacy rights from their wireless providers, whether these rights were adequate to protect the customers' privacy, and whether the customers thought the companies' business practices adequately protects their rights.
3. From November 2016, to April 2017, Ms. Spatt distributed the survey electronically via Survey Monkey. Ms. Spatt posted a link to the survey on TURN's website, distributed an email with a link to the survey to TURN's mailing lists (approximately 11,000 addresses) and posted the link on TURN's social media platforms, specifically: Twitter and Facebook. TURN has approximately 3,400 followers on these platforms. Ms. Spatt also provided the survey to Consumer Federation of California (CFC) so that CFC could disseminate its own

survey.

4. Survey Monkey automatically tabulated the responses to TURN's survey, to which at least 389 California consumers responded, and Ms. Spatt exported the survey report in April 2017 (Attached as Appendix A). Ms. Sandoval reviewed the results from both TURN's and CFC's surveys and assisted with incorporating the results to support the accompanying Petition.

We declare under penalty of perjury under the laws of the State of California that the facts set forth above are true and correct to the best of our knowledge and information. This declaration was executed March 30, 2018.

_____/S/_____

Gabriela Sandoval
Research Director,
The Utility Reform Network

_____/S/_____

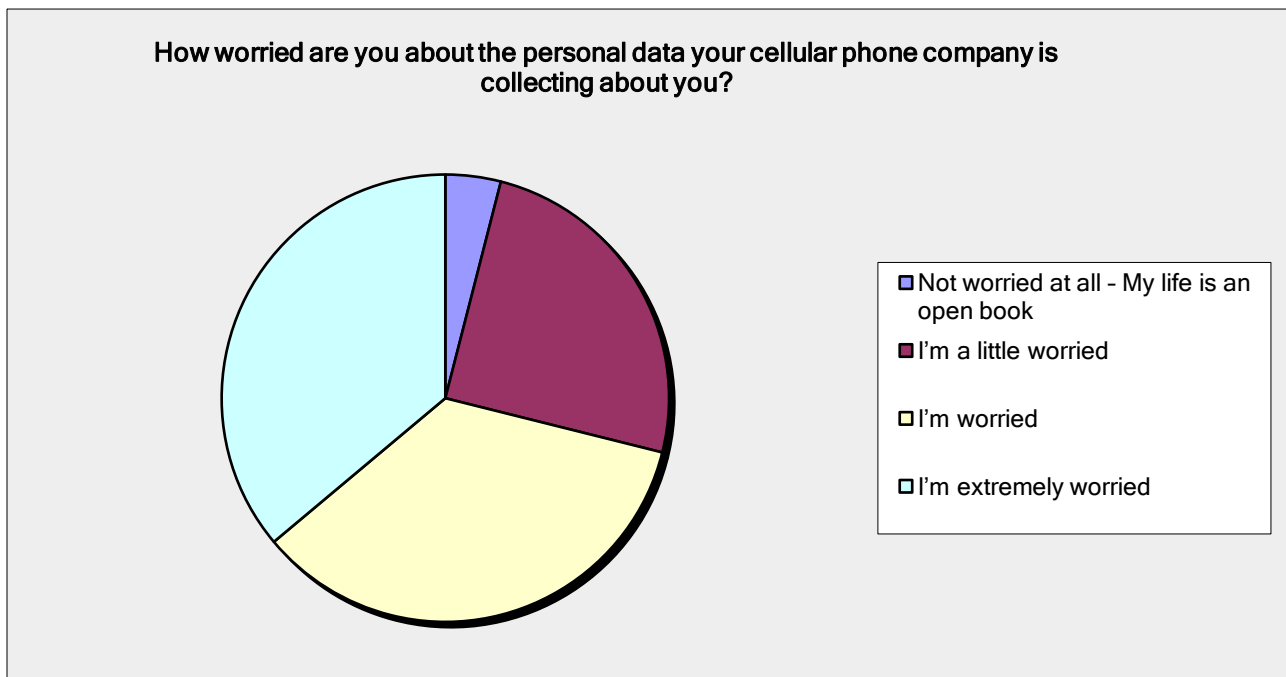
Mindy Spatt
Communications Director
The Utility Reform Network

Attachment A
TURN Smart Phone Privacy Survey Results

Question 1.

TURN's Smart Phone Privacy Survey

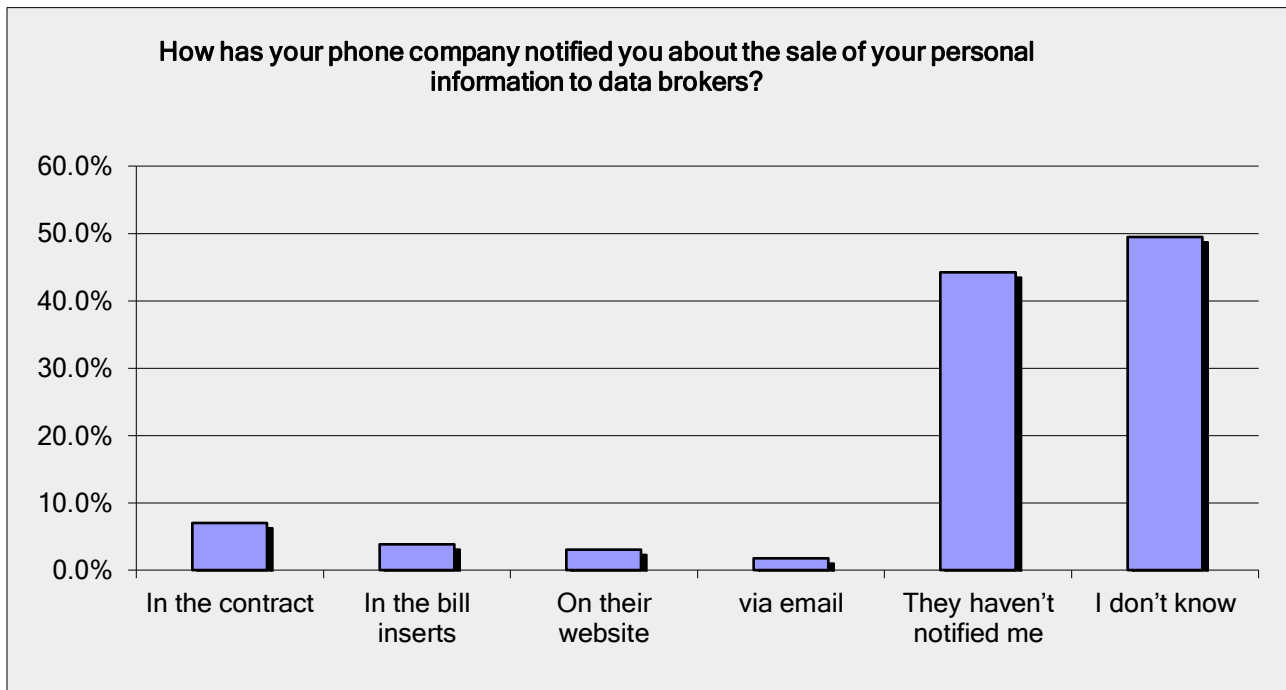
How worried are you about the personal data your cellular phone company is collecting about you?		
Answer Options	Response Percent	Response Count
Not worried at all - My life is an open book	4.0%	19
I'm a little worried	24.9%	118
I'm worried	35.0%	166
I'm extremely worried	36.1%	171
<i>answered question</i>		474
<i>skipped question</i>		3



Question 2.

TURN's Smart Phone Privacy Survey

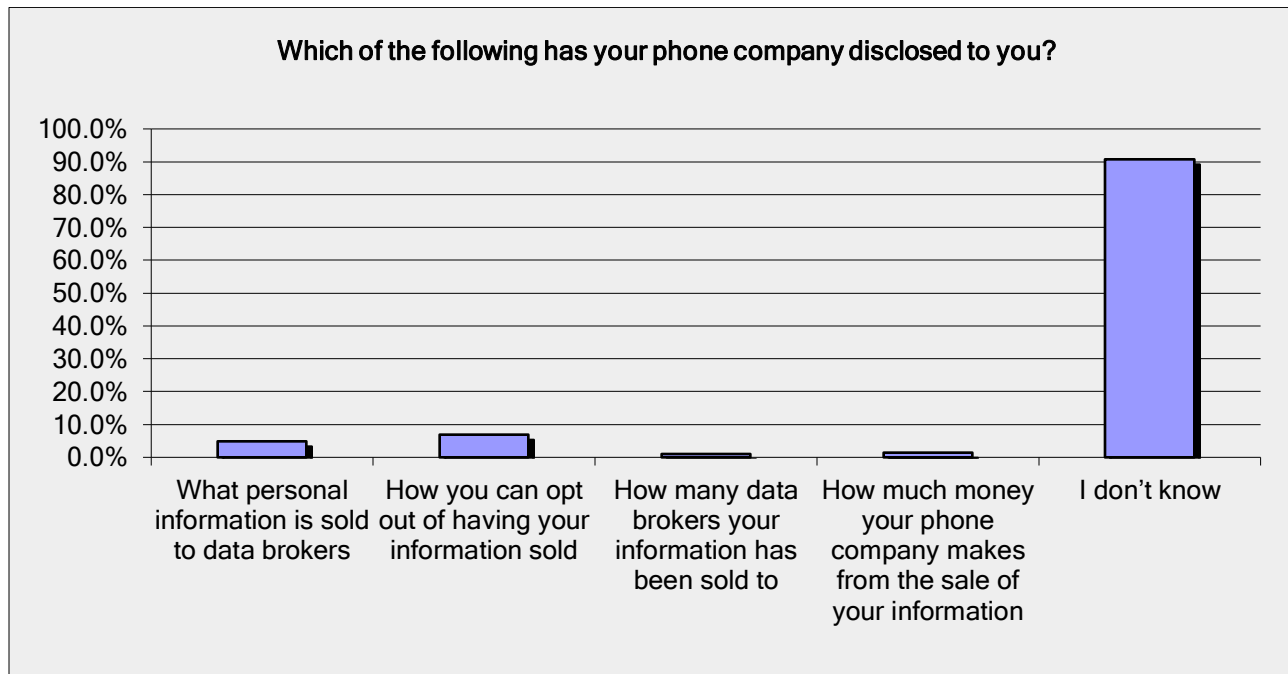
How has your phone company notified you about the sale of your personal information to data brokers?		
Answer Options	Response Percent	Response Count
In the contract	7.0%	33
In the bill inserts	3.8%	18
On their website	3.0%	14
via email	1.7%	8
They haven't notified me	44.2%	209
I don't know	49.5%	234
<i>answered question</i>		473
<i>skipped question</i>		4



Question 3.

TURN's Smart Phone Privacy Survey

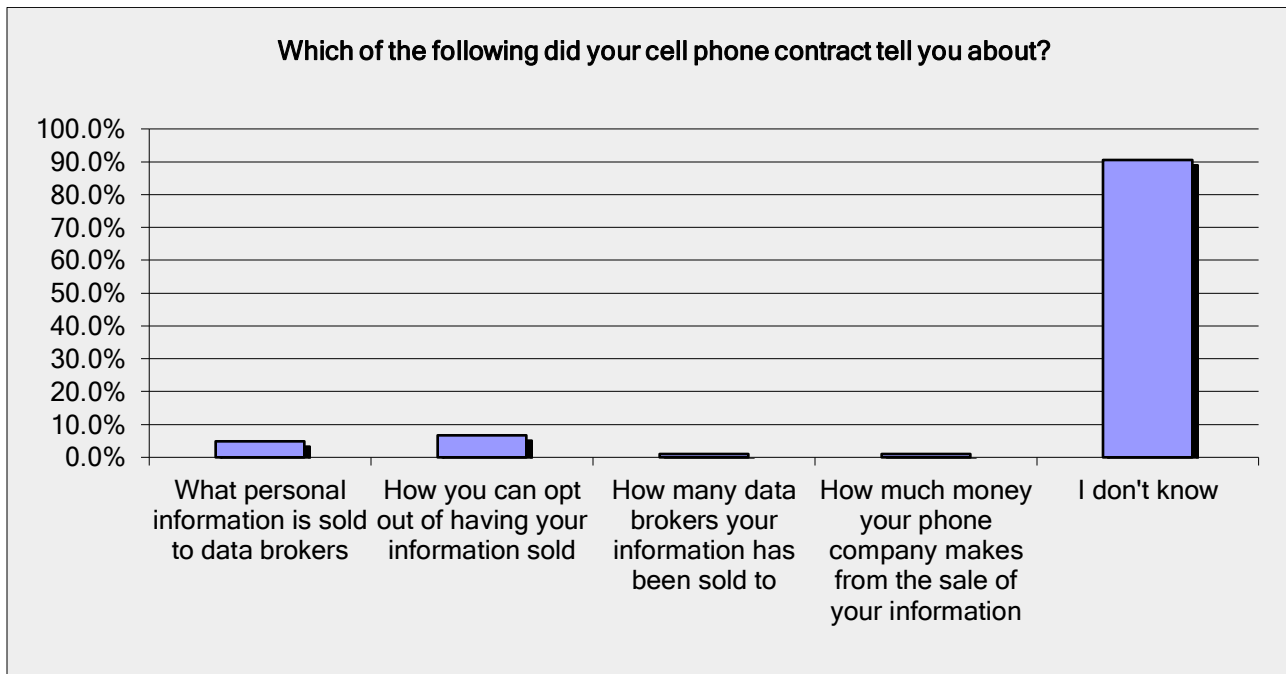
Which of the following has your phone company disclosed to you?		
Answer Options	Response Percent	Response Count
What personal information is sold to data brokers	4.8%	22
How you can opt out of having your information sold	7.0%	32
How many data brokers your information has been sold to	1.1%	5
How much money your phone company makes from the sale of your information	1.5%	7
I don't know	90.8%	414
<i>answered question</i>		456
<i>skipped question</i>		21



Question 4.

TURN's Smart Phone Privacy Survey

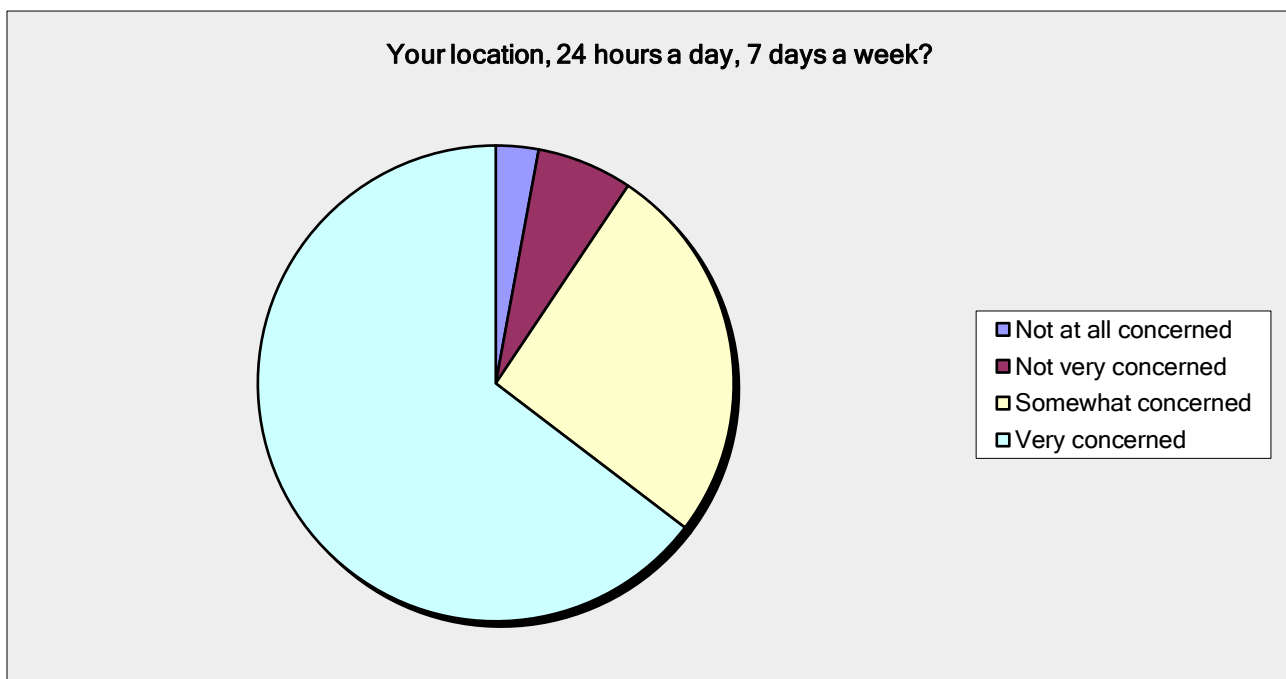
Which of the following did your cell phone contract tell you about?		
Answer Options	Response Percent	Response Count
What personal information is sold to data brokers	4.8%	22
How you can opt out of having your information sold	6.6%	30
How many data brokers your information has been sold to	1.1%	5
How much money your phone company makes from the sale of your information	1.1%	5
I don't know	90.5%	411
<i>answered question</i>		454
<i>skipped question</i>		23



Question 5.

TURN's Smart Phone Privacy Survey

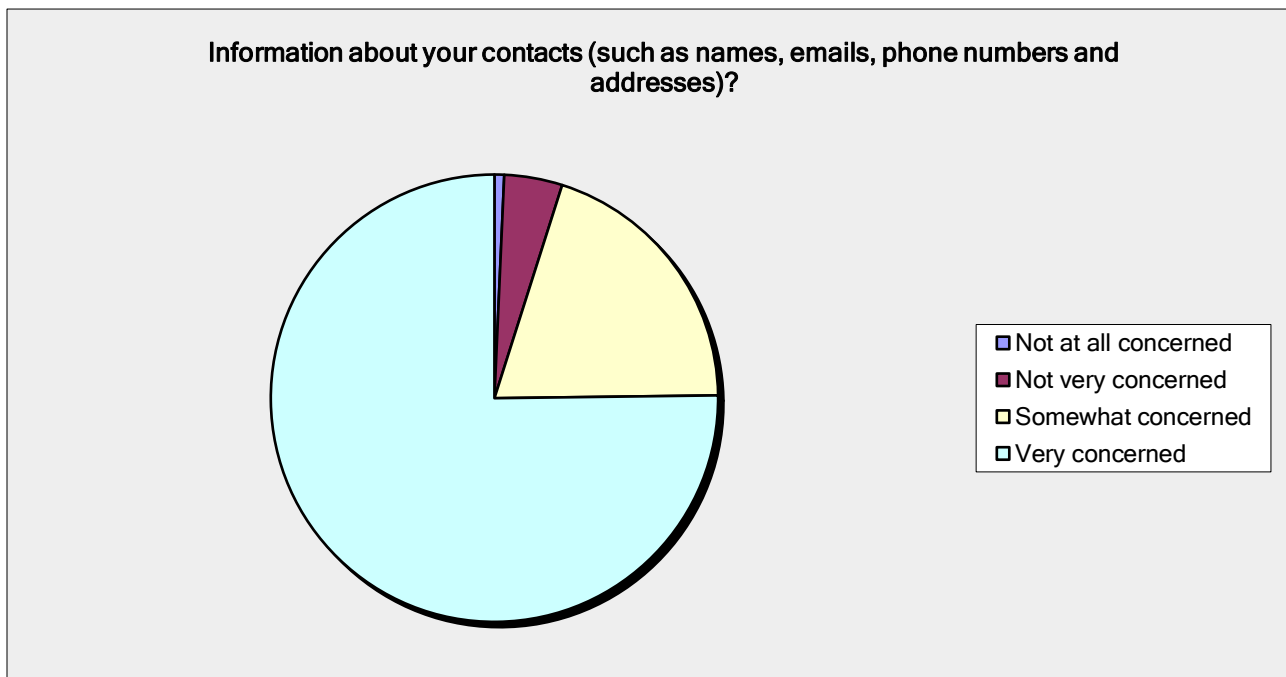
Your location, 24 hours a day, 7 days a week?		
Answer Options	Response Percent	Response Count
Not at all concerned	2.9%	13
Not very concerned	6.5%	29
Somewhat concerned	26.0%	116
Very concerned	64.7%	289
<i>answered question</i>		447
<i>skipped question</i>		30



Question 6.

TURN's Smart Phone Privacy Survey

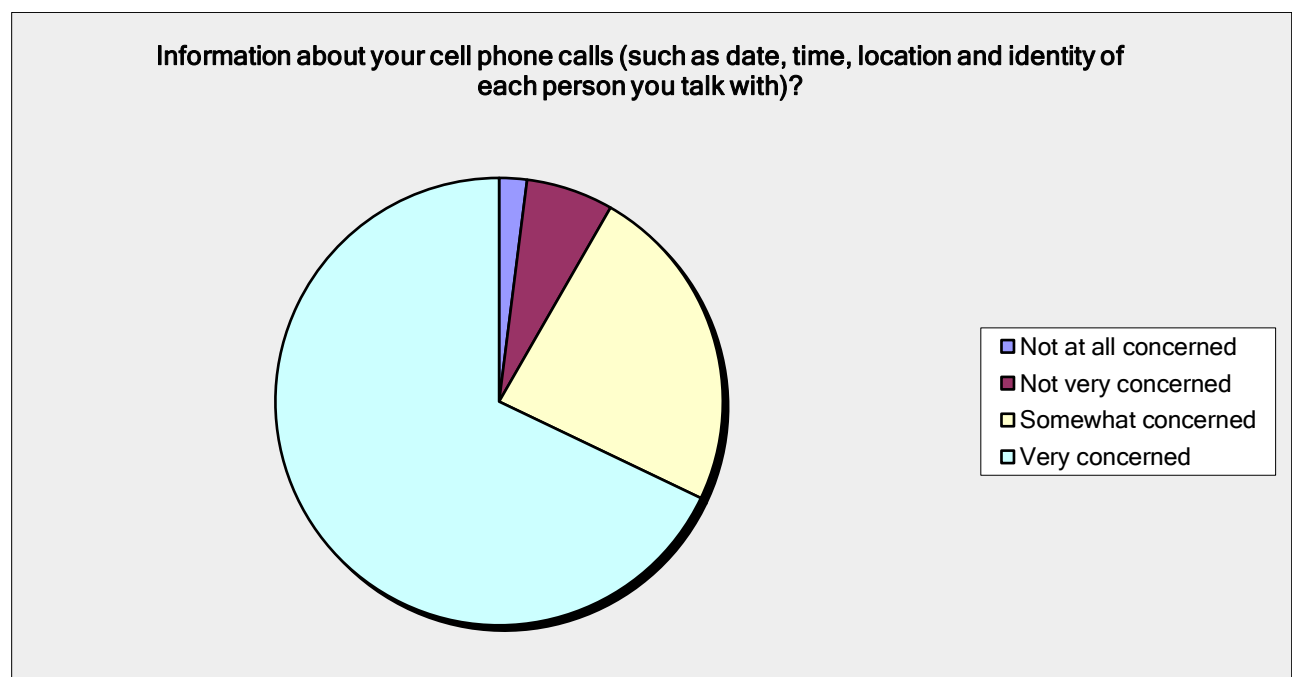
Information about your contacts (such as names, emails, phone numbers and addresses)?		
Answer Options	Response Percent	Response Count
Not at all concerned	0.7%	3
Not very concerned	4.2%	19
Somewhat concerned	19.9%	89
Very concerned	75.2%	337
<i>answered question</i>		448
<i>skipped question</i>		29



Question 7.

TURN's Smart Phone Privacy Survey

Information about your cell phone calls (such as date, time, location and identity of each person you talk with)?		
Answer Options	Response Percent	Response Count
Not at all concerned	2.0%	9
Not very concerned	6.3%	28
Somewhat concerned	23.8%	106
Very concerned	67.9%	303
<i>answered question</i>		446
<i>skipped question</i>		31



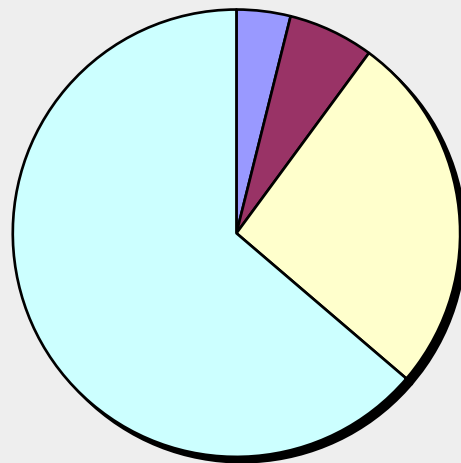
Question 8.

TURN's Smart Phone Privacy Survey

Information about your text messages (such as date, time, location and identity of each person you exchange text messages with)?

Answer Options	Response Percent	Response Count
Not at all concerned	3.9%	17
Not very concerned	6.2%	27
Somewhat concerned	26.2%	115
Very concerned	63.8%	280
<i>answered question</i>		439
<i>skipped question</i>		38

Information about your text messages (such as date, time, location and identity of each person you exchange text messages with)?

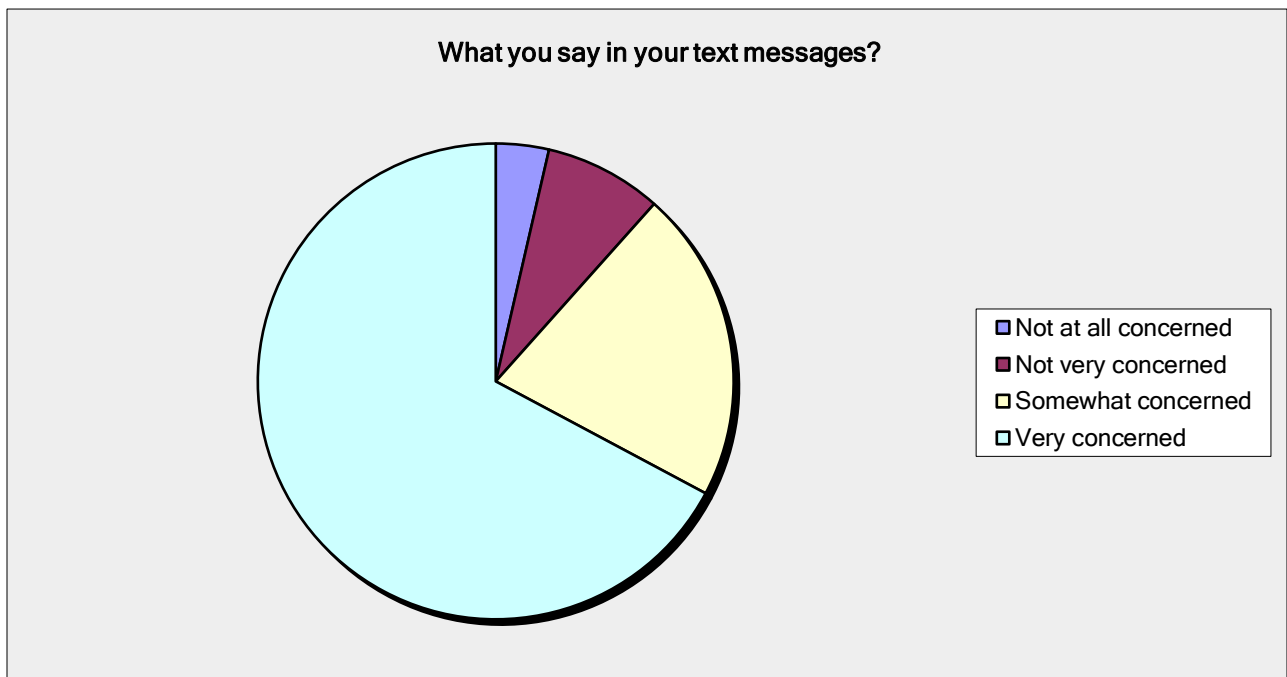


■ Not at all concerned
■ Not very concerned
■ Somewhat concerned
■ Very concerned

Question 9.

TURN's Smart Phone Privacy Survey

What you say in your text messages?		
Answer Options	Response Percent	Response Count
Not at all concerned	3.6%	16
Not very concerned	8.0%	35
Somewhat concerned	21.2%	93
Very concerned	67.2%	295
<i>answered question</i>		439
<i>skipped question</i>		38



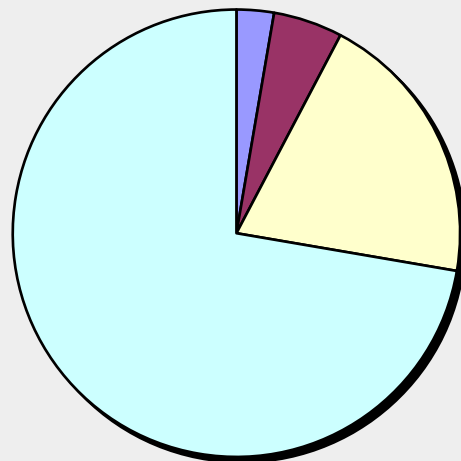
Question 10.

TURN's Smart Phone Privacy Survey

Information about pictures on your cell phone (such as the content of photos, identity and images of the people in the photos)?

Answer Options	Response Percent	Response Count
Not at all concerned	2.7%	12
Not very concerned	5.0%	22
Somewhat concerned	20.0%	88
Very concerned	72.3%	319
<i>answered question</i>		441
<i>skipped question</i>		36

Information about pictures on your cell phone (such as the content of photos, identity and images of the people in the photos)?

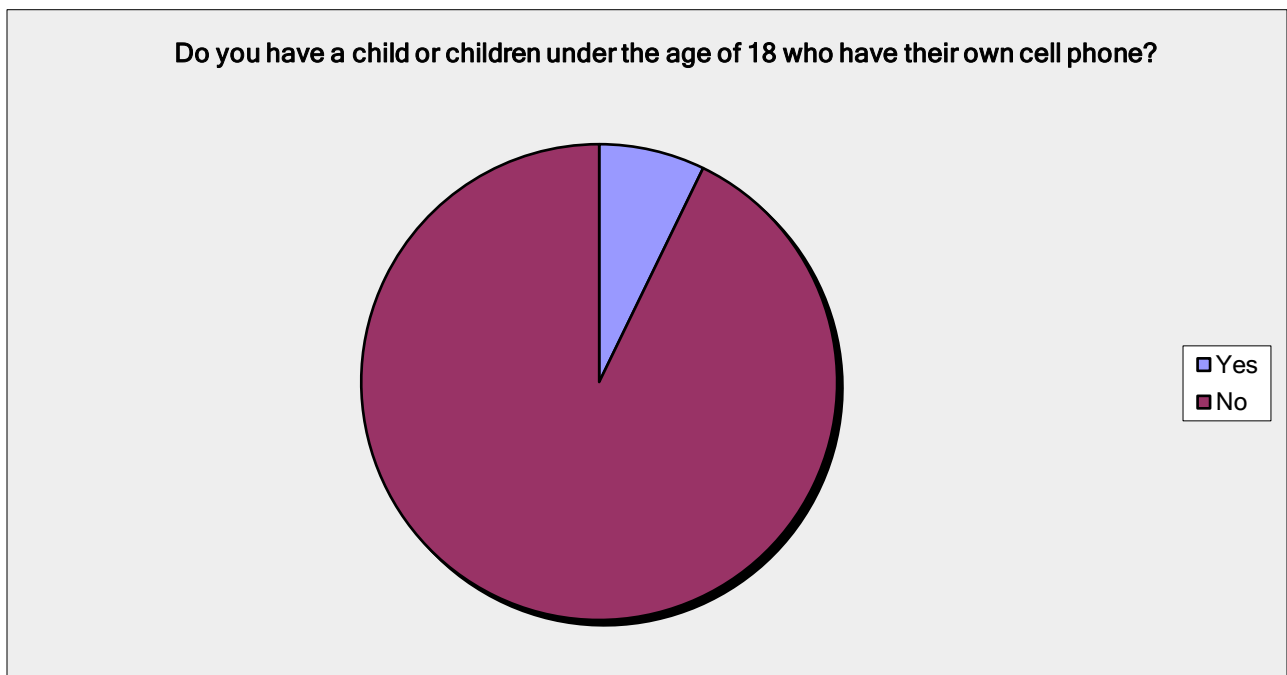


■ Not at all concerned
■ Not very concerned
■ Somewhat concerned
■ Very concerned

Question 11.

TURN's Smart Phone Privacy Survey

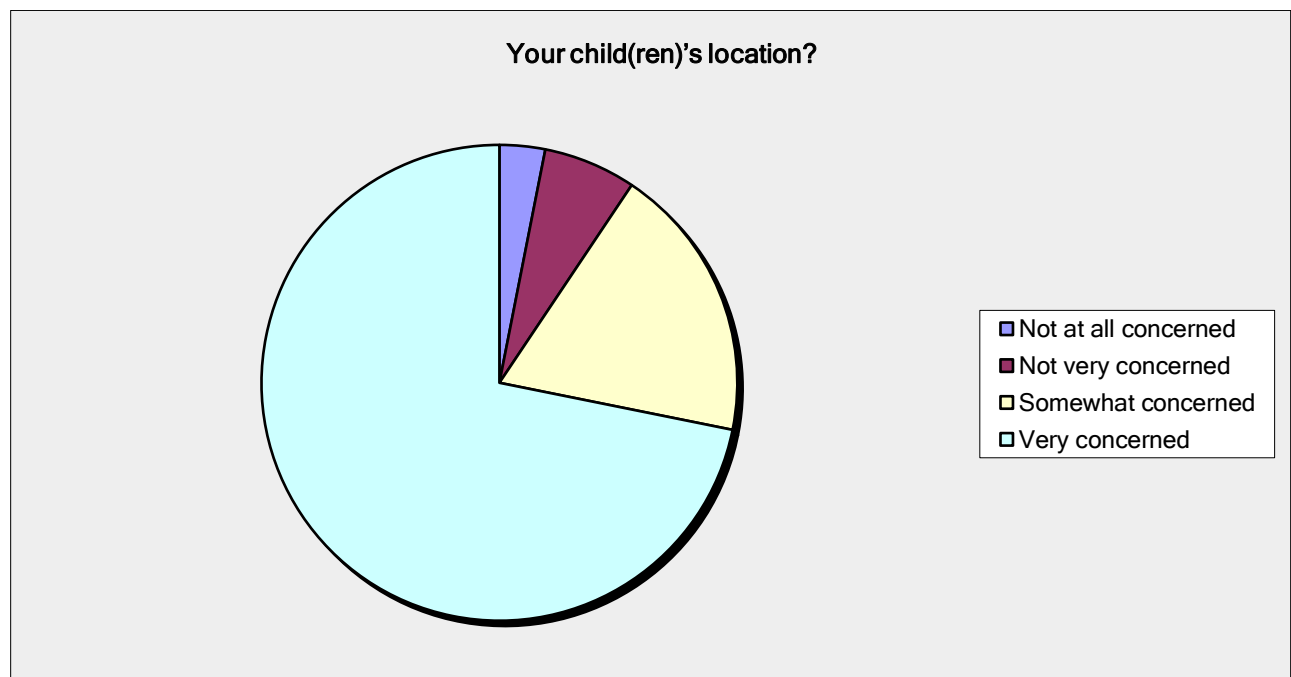
Do you have a child or children under the age of 18 who have their own cell phone?		
Answer Options	Response Percent	Response Count
Yes	7.2%	32
No	92.8%	413
<i>answered question</i>		445
<i>skipped question</i>		32



Question 12.

TURN's Smart Phone Privacy Survey

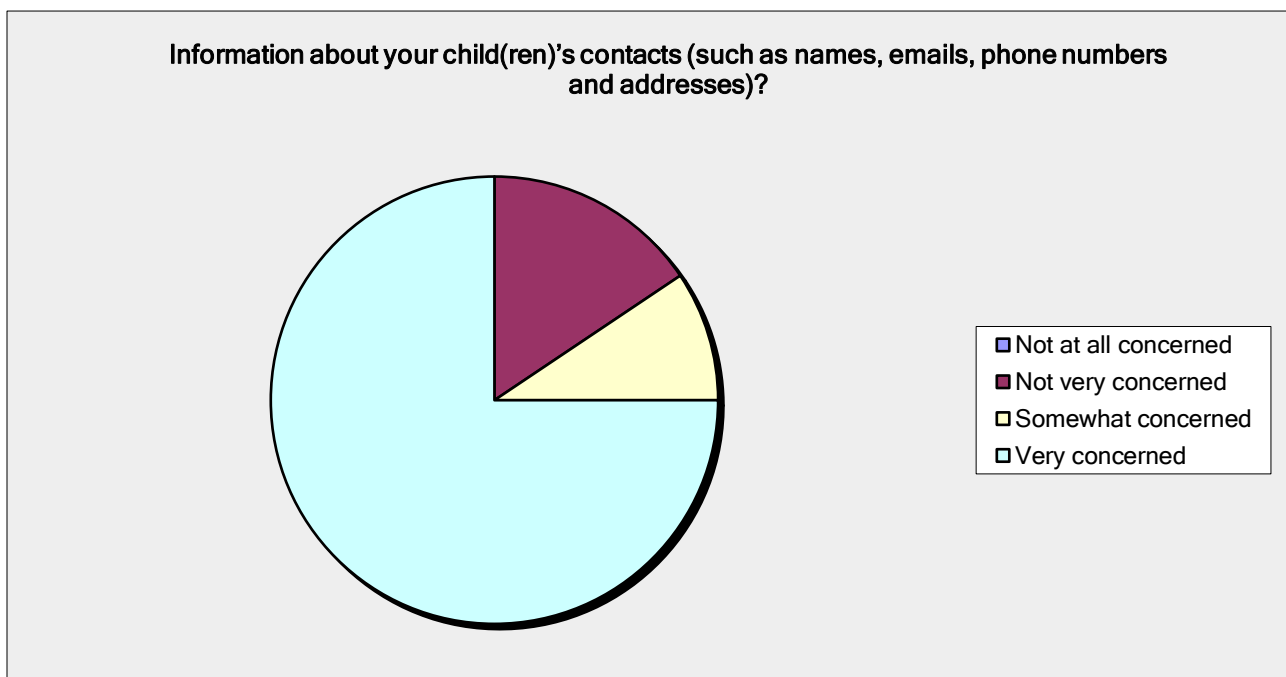
Your child(ren)'s location?		
Answer Options	Response Percent	Response Count
Not at all concerned	3.1%	1
Not very concerned	6.3%	2
Somewhat concerned	18.8%	6
Very concerned	71.9%	23
<i>answered question</i>		32
<i>skipped question</i>		445



Question 13.

TURN's Smart Phone Privacy Survey

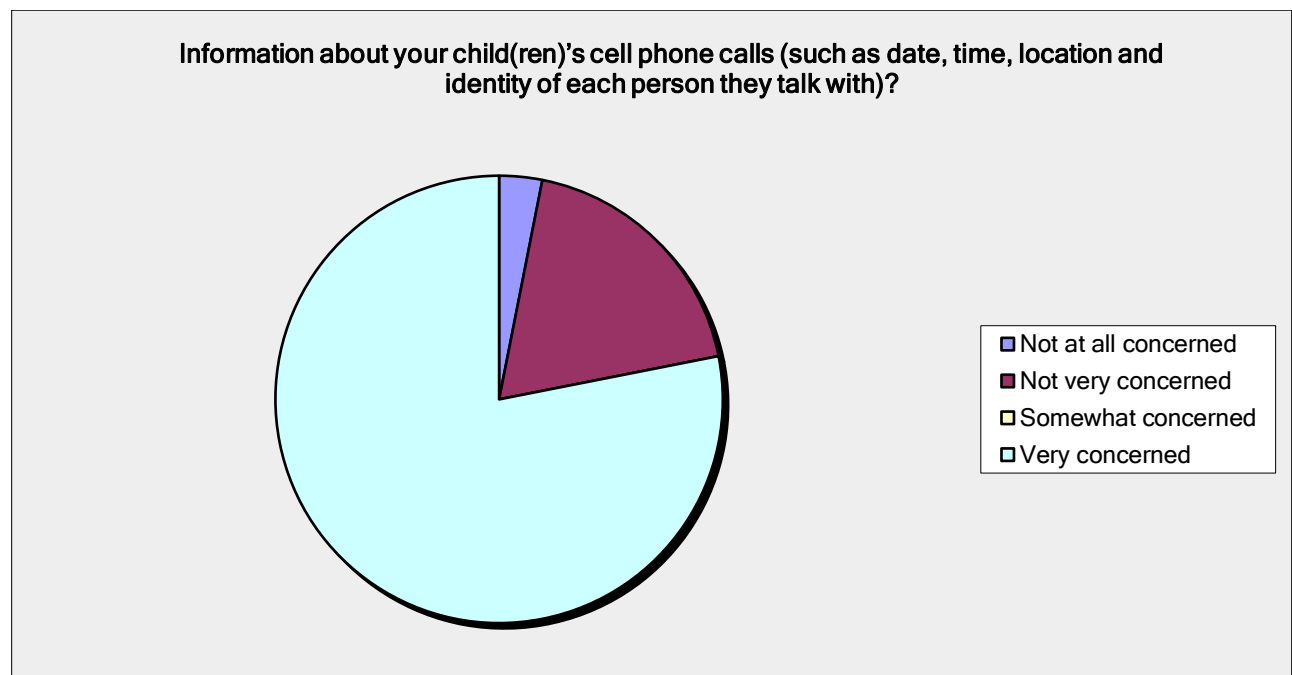
Information about your child(ren)'s contacts (such as names, emails, phone numbers and addresses)?		
Answer Options	Response Percent	Response Count
Not at all concerned	0.0%	0
Not very concerned	15.6%	5
Somewhat concerned	9.4%	3
Very concerned	75.0%	24
<i>answered question</i>		32
<i>skipped question</i>		445



Question 14.

TURN's Smart Phone Privacy Survey

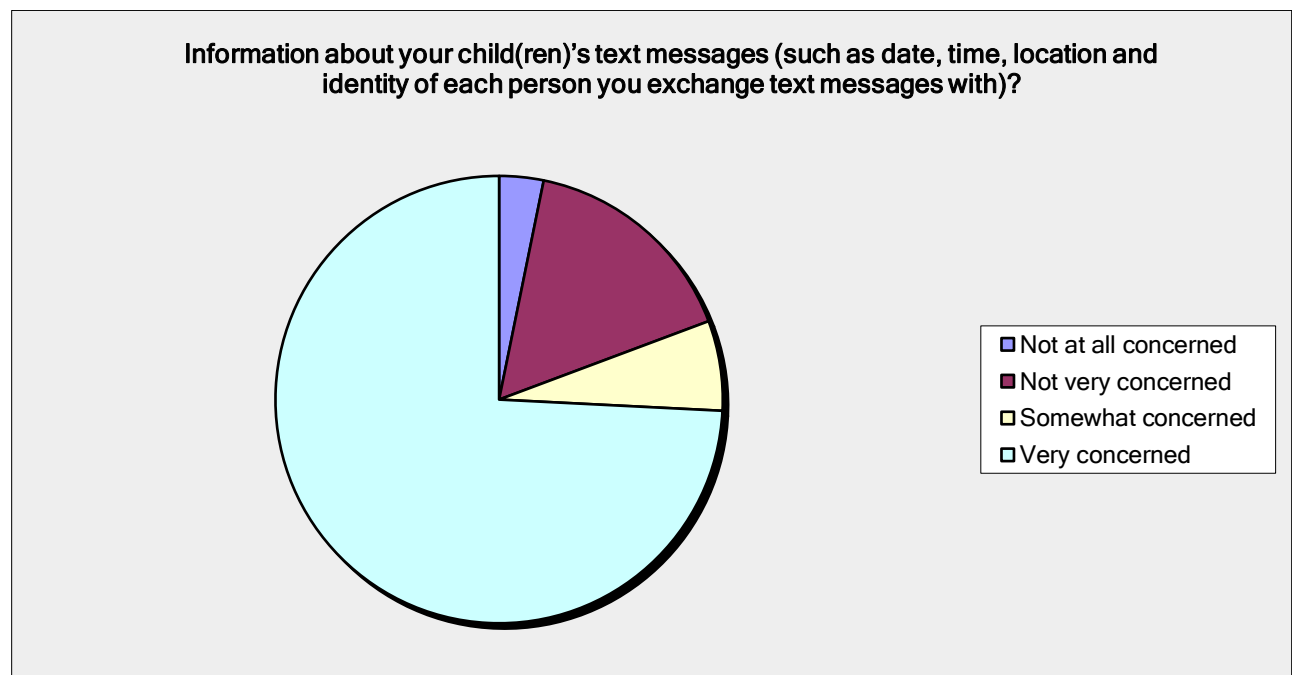
Information about your child(ren)'s cell phone calls (such as date, time, location and identity of each person they talk with)?		
Answer Options	Response Percent	Response Count
Not at all concerned	3.1%	1
Not very concerned	18.8%	6
Somewhat concerned	0.0%	0
Very concerned	78.1%	25
<i>answered question</i>		32
<i>skipped question</i>		445



Question 15.

TURN's Smart Phone Privacy Survey

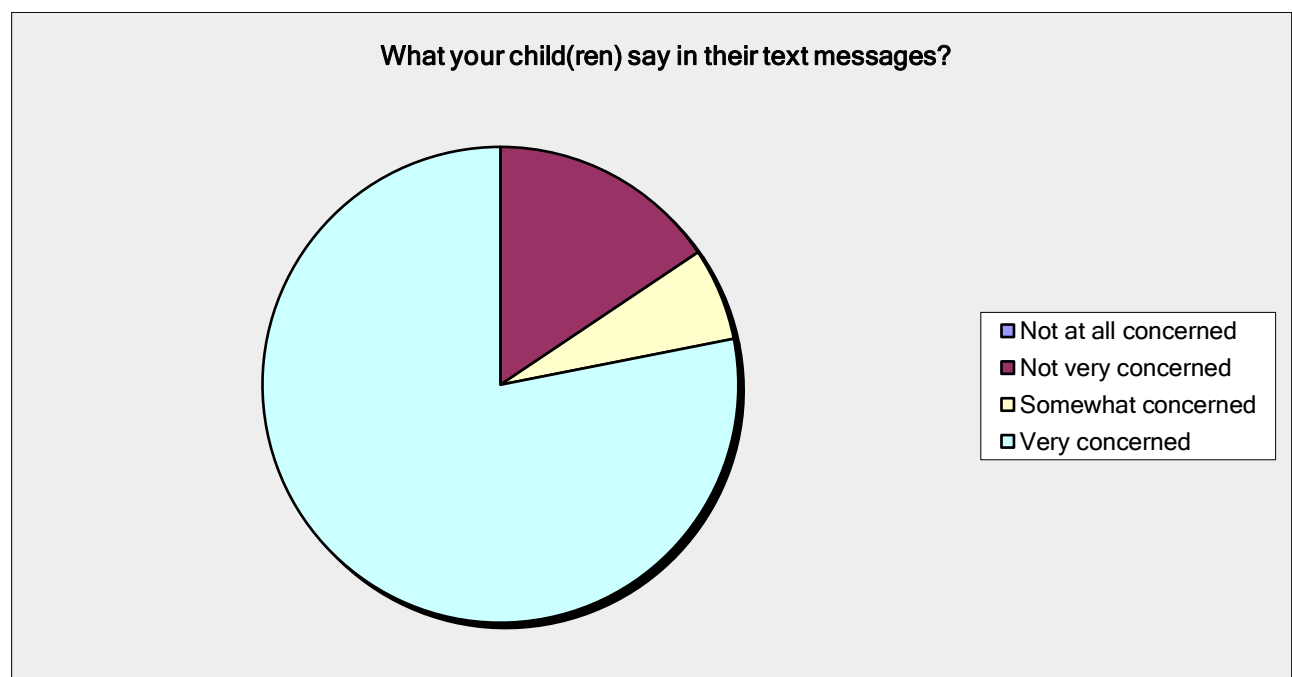
Information about your child(ren)'s text messages (such as date, time, location and identity of each person you exchange text messages with)?		
Answer Options	Response Percent	Response Count
Not at all concerned	3.2%	1
Not very concerned	16.1%	5
Somewhat concerned	6.5%	2
Very concerned	74.2%	23
<i>answered question</i>		31
<i>skipped question</i>		446



Question 16.

TURN's Smart Phone Privacy Survey

What your child(ren) say in their text messages?		
Answer Options	Response Percent	Response Count
Not at all concerned	0.0%	0
Not very concerned	15.6%	5
Somewhat concerned	6.3%	2
Very concerned	78.1%	25
<i>answered question</i>		32
<i>skipped question</i>		445



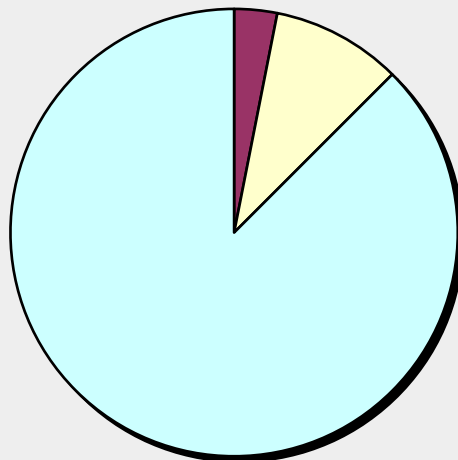
Question 17.

TURN's Smart Phone Privacy Survey

Information about pictures on your child(ren)'s cell phone (Such as the content of photos, identity and images of the people in the photos)?

Answer Options	Response Percent	Response Count
Not at all concerned	0.0%	0
Not very concerned	3.1%	1
Somewhat concerned	9.4%	3
Very concerned	87.5%	28
<i>answered question</i>		32
<i>skipped question</i>		445

Information about pictures on your child(ren)'s cell phone (Such as the content of photos, identity and images of the people in the photos)?

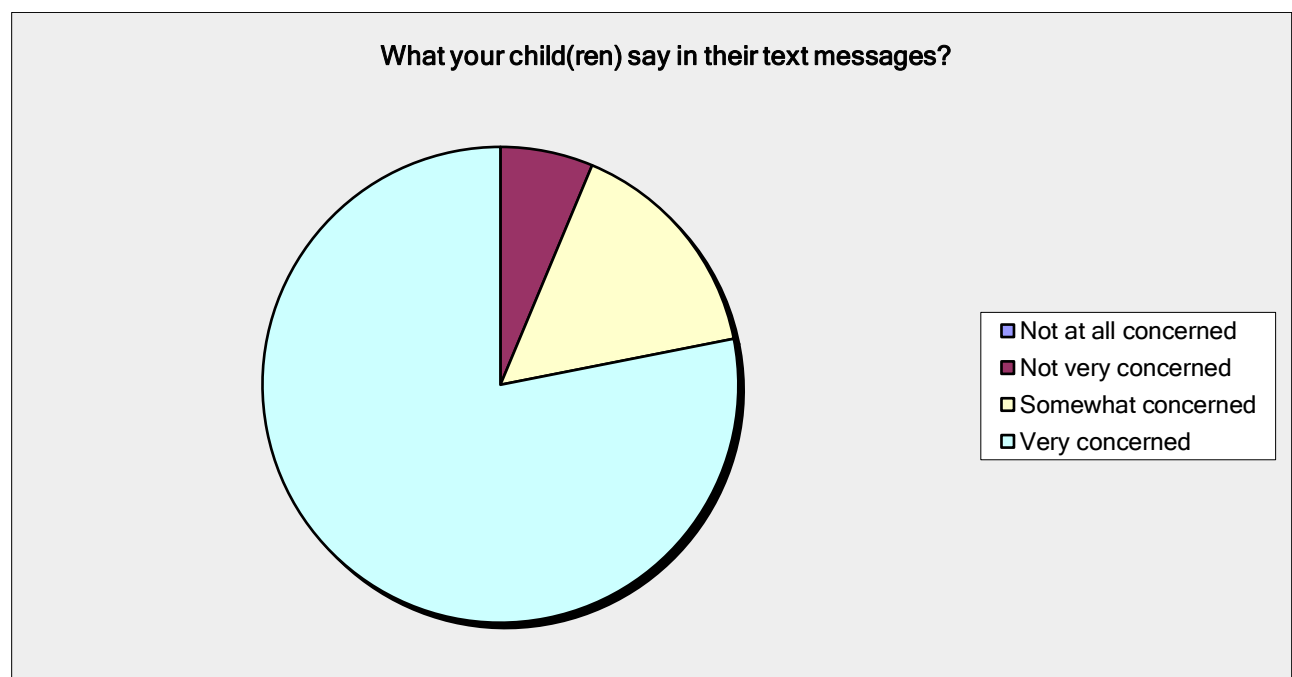


- Not at all concerned
- Not very concerned
- Somewhat concerned
- Very concerned

Question 18.

TURN's Smart Phone Privacy Survey

What your child(ren) say in their text messages?		
Answer Options	Response Percent	Response Count
Not at all concerned	0.0%	0
Not very concerned	6.3%	2
Somewhat concerned	15.6%	5
Very concerned	78.1%	25
<i>answered question</i>		32
<i>skipped question</i>		445



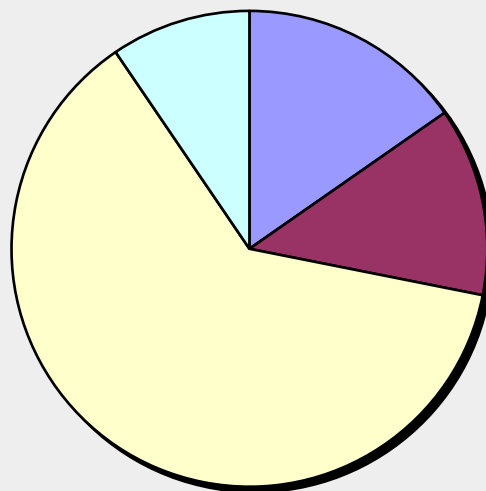
Question 19.

TURN's Smart Phone Privacy Survey

Have you tried to set privacy protections on your phone?

Answer Options	Response Percent	Response Count
Yes, and I was successful	15.3%	66
Yes, but I was not successful	12.8%	55
No, I don't know how	62.3%	268
Yes, but too many apps didn't work correctly so I reset.	9.5%	41
answered question		430
skipped question		47

Have you tried to set privacy protections on your phone?



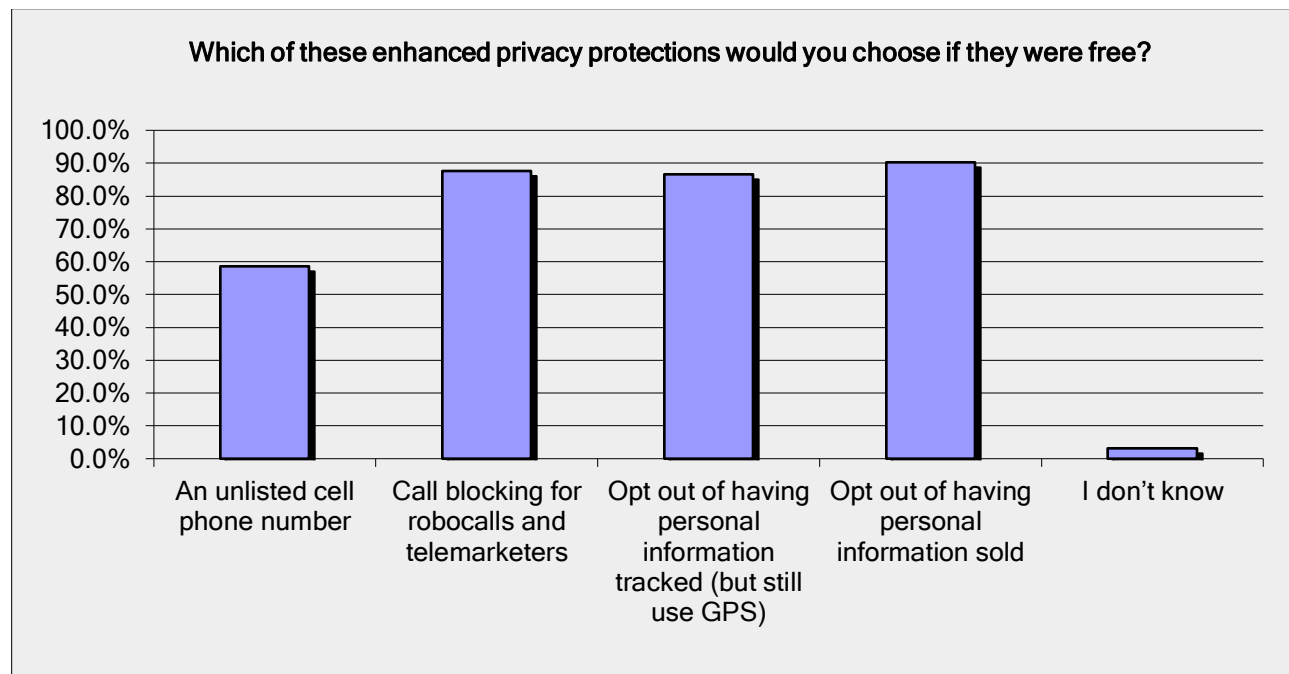
- Yes, and I was successful
- Yes, but I was not successful
- No, I don't know how
- Yes, but too many apps didn't work correctly so I reset.

Question 20.

TURN's Smart Phone Privacy Survey

Which of these enhanced privacy protections would you choose if they were free?

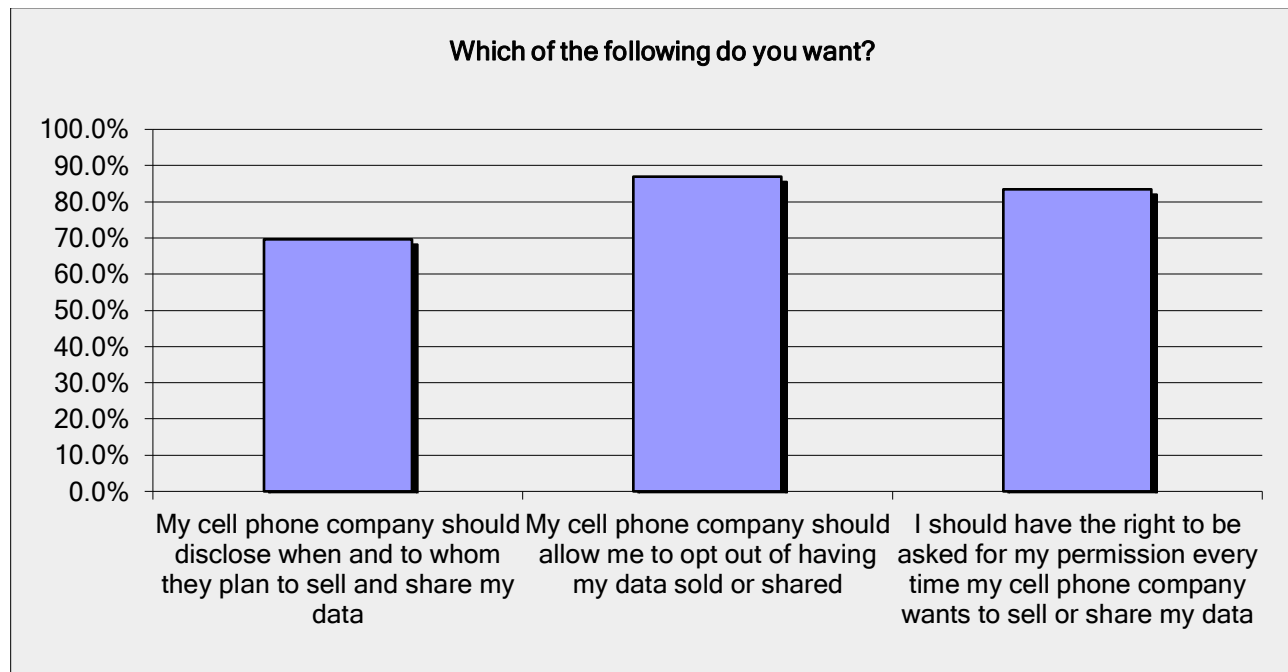
Answer Options	Response Percent	Response Count
An unlisted cell phone number	58.6%	255
Call blocking for robocalls and telemarketers	87.6%	381
Opt out of having personal information tracked (but still use GPS)	86.7%	377
Opt out of having personal information sold	90.3%	393
I don't know	3.2%	14
<i>answered question</i>		435
<i>skipped question</i>		42



Question 21.

TURN's Smart Phone Privacy Survey

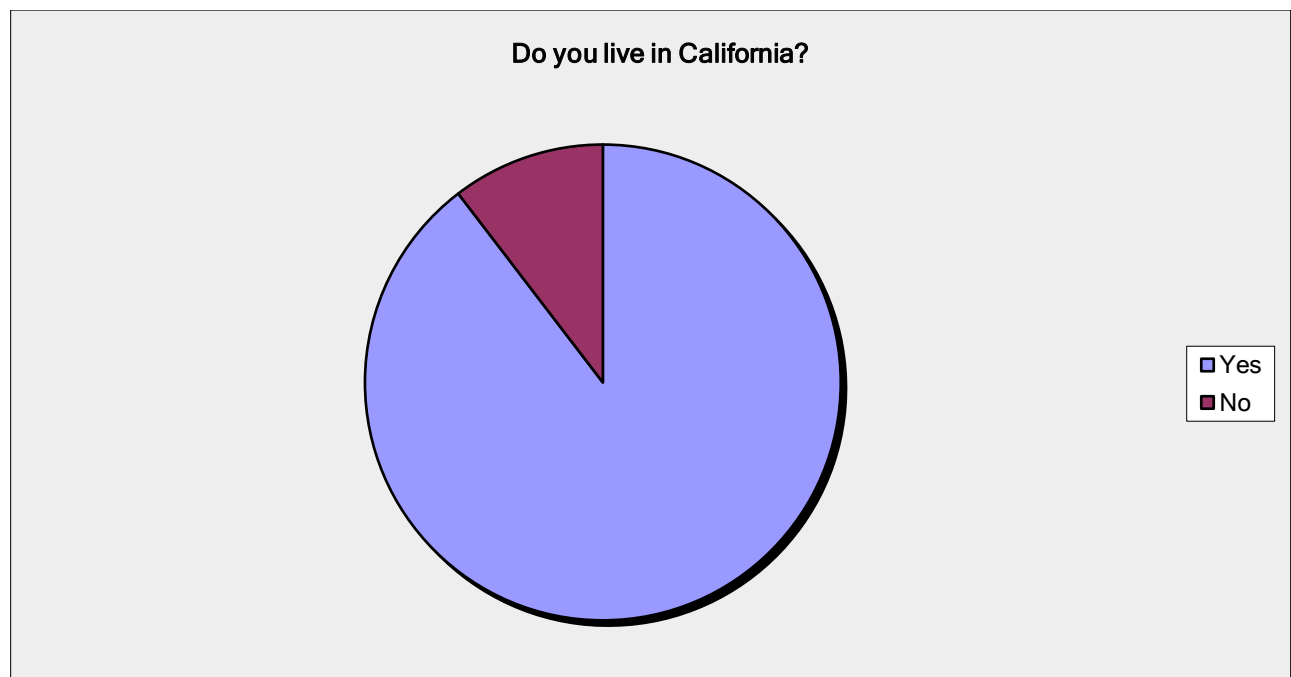
Which of the following do you want?		
Answer Options	Response Percent	Response Count
My cell phone company should disclose when and to whom they plan to sell and share my data	69.6%	300
My cell phone company should allow me to opt out of having my data sold or shared	87.0%	375
I should have the right to be asked for my permission every time my cell phone company wants to sell or share my data	83.5%	360
<i>answered question</i>		431
<i>skipped question</i>		46



Question 22.

TURN's Smart Phone Privacy Survey

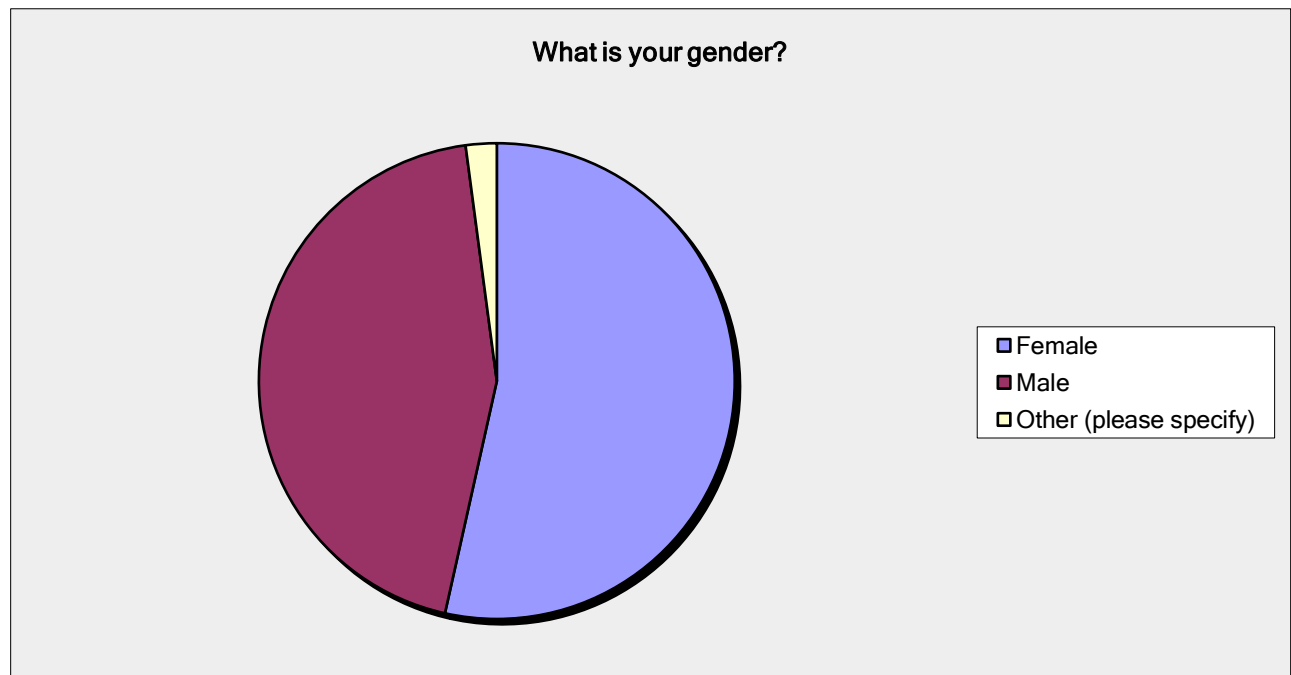
Do you live in California?		
Answer Options	Response Percent	Response Count
Yes	89.6%	389
No	10.4%	45
<i>answered question</i>		434
<i>skipped question</i>		43



Question 23.

TURN's Smart Phone Privacy Survey

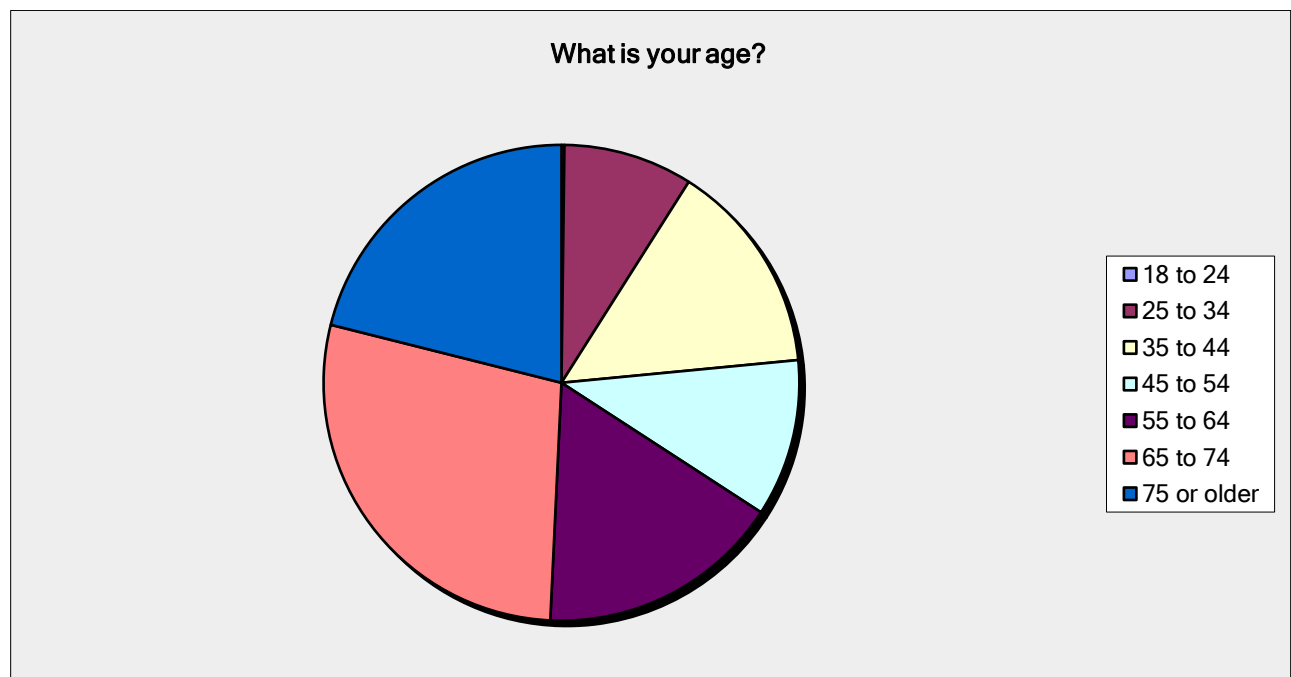
What is your gender?		
Answer Options	Response Percent	Response Count
Female	53.5%	229
Male	44.4%	190
Other (please specify)	2.1%	9
<i>answered question</i>		428
<i>skipped question</i>		49



Question 24.

TURN's Smart Phone Privacy Survey

What is your age?		
Answer Options	Response Percent	Response Count
18 to 24	0.2%	1
25 to 34	8.8%	37
35 to 44	14.5%	61
45 to 54	10.7%	45
55 to 64	16.6%	70
65 to 74	28.2%	119
75 or older	21.1%	89
<i>answered question</i>		422
<i>skipped question</i>		55



Question 25.

TURN's Smart Phone Privacy Survey

What is your race?		
Answer Options	Response Percent	Response Count
Latino/a or Hispanic	10.0%	42
Black, African American	3.6%	15
Native American	0.7%	3
White	73.5%	310
Asian	4.5%	19
Other (please specify)	7.8%	33
<i>answered question</i>		422
<i>skipped question</i>		55

